

BILL ANALYSIS

H.B. 2379
By: Swinford
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

This legislation directs the Texas Building and Procurement Commission (TBPC) to adopt rules consistent with private sector standards and industry best practices to govern the allocation of space. Currently, the TBPC is required to achieve a space allocation ratio of not more than an average of 135 square feet per each agency employee, where practical to do so.

The reality is that many agencies have responsibilities and job functions that necessitate more than an average of 135 square feet per employee. For instance, the Health and Human Services agencies represent approximately two-thirds of TBPC's space portfolio and frequently require hard wall offices and consultation rooms to satisfy privacy requirements. Additionally, agencies often have laboratories, testing facilities, architectural and engineering drafting stations, hearing rooms, etc that drive space allocation ratios in excess of 135 square feet. Although, some agencies require an allocation of space that exceeds an average of 135 square feet per employee, other agencies require much less space. Currently, TBPC may give agencies more or less than 135 square feet; however, agencies feel like they are out of compliance when TBPC assigns them more than 135 square feet. TBPC should be able to adopt more specific standards which are sensitive to the responsibilities and job functions of the employee. This legislation will not result in increased space assignments; it will simply clarify the intent of existing statutes. TBPC shall continue allocating space in a manner that does not give agencies space in excess of what they truly need.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Building and Procurement Commission in Section 2165.104(c), Government Code.

ANALYSIS

Amends Section 2165, Government Code, relating to the limitation on office space use, by authorizing TBPC to adopt rules consistent with private sector standards and industry best practices to govern the allocation of space and removing the allocation limitation of 135 square feet of space per each agency employee.

EFFECTIVE DATE

September 1, 2005